

## **IN THE CLAIMS**

This set of claims replaces all prior submitted sets of claims. Claims 34, 35, 53, and 54 are amended; the remaining claims are unchanged.

1. (previously presented) A method of selling articles of manufacture, comprising:
  - (a) providing an electronic communication system which is available to a plurality of potential purchasers of said articles of manufacture;
  - (b) utilizing said electronic communication system to identify a plurality of articles of manufacture, from a plurality of manufacturing entities, which are available for purchase by said plurality of potential purchasers;
  - (c) for selected ones of said plurality of articles of manufacture which are available for purchase, identifying pricing milestones in each of (1) a manufacturing phase and (2) a distribution phase, which correspond to an increase in commercial risk;
  - (d) through prior arrangements with said plurality of manufacturing entities, determining a separate price for each of said pricing milestones to establish a range of prices for said selected ones of said plurality of articles of manufacture, taking into account a change in said commercial risk as said pricing milestones are experienced, and providing a changing price to encourage and reward timely commercial commitments and to reduce the commercial risk to said plurality of manufacturing entities;
  - (e) utilizing said electronic communication system to make conditional offers of said selected ones of said plurality of articles of manufacture for sale to said plurality of potential purchasers at each of said pricing milestones with said separate price, with said conditional offers specifying at least a minimum number of articles which must be ordered in aggregate before the conditional offer becomes binding upon a manufacturing entity;

(f) utilizing said electronic communication system to separately communicate with particular ones of said plurality of potential purchasers and to aggregate commercial commitments from said plurality of potential purchasers for each of said pricing milestones and thereby selling said selected ones of said plurality of articles of manufacture; and

(g) wherein each pricing milestone corresponds to a period of availability in which costs of future supply chain activities or savings related to avoidance of future supply chain activities are reflected in an offer price.

2. (Original) A method selling articles of manufacture according to claim 1, wherein said electronic communication system allows simultaneous and mass presentation of said plurality of articles of manufacture.

3. (Original) A method of selling articles of manufacture according to claim 2, wherein said electronic communication system comprises at least one of:

- (1) a local area network;
- (2) a wide area network;
- (3) a cable system;
- (4) an internet communication system; and
- (5) a hybrid television and internet communication system.

4. (Original) A method of selling articles of manufacture according to claim 2, wherein said electronic communication system comprises an Internet site which may be accessed through the Internet.

5. (Original) A method of selling articles of manufacture according to claim 1, wherein said electronic communication system is available to potential purchasers that are pre-qualified as being financially responsible to the extent necessary to fulfill a commitment to purchase said articles of manufacture.

6. (Original) A method of selling articles of manufacture according to claim 1 wherein said potential purchasers comprise resellers of said articles of manufacture which purchase large quantities of said articles of manufacture for resale.

7. (Original) A method of selling articles of manufacture according to claim 1 wherein said potential purchasers comprise individual consumers of said articles of manufacture which purchase small quantities of said articles of manufacture for personal use.

8. (Original) A method of selling articles of manufacture according to claim 1 wherein said potential purchasers comprise a mixture of:

(1) resellers of said articles of manufacture which purchase large quantities of said articles of manufacture for resale; and

(2) individual consumers of said articles of manufacture which purchase small quantities of said articles of manufacture for personal use.

9. (Original) A method of selling articles of manufacture according to claim 1, wherein said electronic communication system is utilized to identify said plurality of article of manufacture by providing at least a product specification, quantities available, and a delivery date.

10. (previously presented) A method of selling articles of manufacture according to claim 1, wherein said pricing milestones include certain natural milestones in each of (a)

said manufacturing stage and (b) said distribution stage, including at least a plurality of pricing milestones selected from the following list of pricing milestones:

- (1) a design stage for an article of manufacture;
- (2) a pre-production stage for an article of manufacture;
- (3) a production stage for an article of manufacture;
- (4) a packaging stage for an article of manufacture;
- (5) a packing-for-shipment stage for an article of manufacture;
- (6) a shipping stage for an article of manufacture;
- (7) a warehousing stage for an article of manufacture; and
- (8) an in-stock stage for an article of manufacture.

11. (Original) A method of selling articles of manufacture, according to claim 1, wherein said articles of manufacture comprise at least one of:

- (1) a durable article;
- (2) a non-perishable article;
- (3) a processed, perishable article;
- (4) a processed commodity.

12. (Original) A method of selling articles of manufacture, according to claim 1, wherein said articles of manufacture are manufactured at production sites which are located remotely from said plurality of potential purchasers which are located at a plurality of consumption locations.

13. (previously presented) A method of selling articles of manufacture, according to claim 1, wherein said step of determining a separate price comprises:

(d) determining a separate price for each of said pricing milestones to establish a series of increasing, discrete prices for said selected ones of said plurality of articles of manufacture, with each discrete price taking into account an increase in said commercial risk as said pricing milestones are experienced, wherein said series of increasing, discrete prices provide a corresponding incrementally decreasing discount in price to encourage and reward early commercial commitments.

14. (Canceled)

15. (previously presented) A method of selling articles of manufacture, according to claim 1, wherein said electronic communications system utilizes a marketing interface to identify said plurality of articles of manufacture which comprises a plurality of cascading user interfaces,

wherein said marketing interface includes an affinity reward system for soliciting, receiving and rewarding input from said plurality of potential purchasers concerning proposed articles of manufacture, and for aggregating said input.

16. (previously presented) A method of selling articles of manufacture, according to claim 1, wherein said electronic communications system utilizes a marketing interface to identify said plurality of articles of manufacture which comprises a plurality of cascading user interfaces,

wherein said marketing interface includes a demand research model which solicits, receives, and aggregates interest from said plurality of potential purchasers in proposed articles of manufacture.

17. (Original) A method of selling articles of manufacture, according to claim 16, wherein said aggregated input from said plurality of potential purchasers is utilized in making make/don't make decisions for said proposed articles of manufacture.

18. (Original) A method of selling articles of manufacture, according to claim 16, wherein said aggregated input from said potential purchasers is provided to potential manufacturers in order to assist them in making make/don't make decisions for said proposed articles of manufacture.

19. (Original) A method of selling articles of manufacture, according to claim 16, wherein said aggregated input from said plurality of potential purchasers is provided to potential manufacturers in-part in return for a production guarantee from potential manufacturers.

20. (previously presented) A method of selling articles of manufacture, comprising:

(a) providing a trusted intermediary entity;

(b) providing at least one data processing system which is under the control of said trusted intermediary entity and which includes an electronic communication system which is available to a plurality of potential purchasers of said articles of manufacture;

(c) utilizing said trusted intermediary entity to qualify said plurality of potential purchasers for participation in commercial transactions utilizing said electronic communication system;

(d) utilizing said trusted intermediary to identify a plurality of articles of manufacture from a plurality of manufacturing entities;

(e) utilizing said trusted intermediary to negotiate a conditional offer from each of said plurality of manufacturing entities for each of said plurality of articles of manufacture;

(f) wherein each conditional offer specifies at least one price for each of said plurality of articles of manufacture and a minimum number which must be ordered before said conditional offer becomes binding;

(g) for selected ones of said plurality of articles of manufacture which are available for purchase, identifying a pricing milestone in each of (1) a manufacturing phase and (2) a distribution phase, which correspond to an increase in commercial risk;

(h) determining a separate aggregate minimum order number and price for each of said pricing milestones to establish a range of different prices for said selected ones of said plurality of articles of manufacture, taking into account an increase in said commercial risk as said pricing milestones are experienced, and providing a change in price to encourage



and reward timely commercial commitments and to reduce the commercial risk for said plurality of manufacturing entities;

(i) utilizing said electronic communication system to offer said selected ones of said plurality of articles of manufacture for sale to said plurality of potential purchasers at each of said pricing milestones with said separate price; and

(j) utilizing said electronic communication system to offer said plurality of articles of manufacture for sale in the form of a conditional offer and to separately communicate with particular ones of said plurality of potential purchasers in order to aggregate commercial commitments from said plurality of potential purchasers and to meet said separate aggregate minimum order number for each of said pricing milestones and thereby making said conditional offer binding upon a particular manufacturing entity of a particular one of said plurality of articles of manufacture

(k) wherein each pricing milestone corresponds to a period of availability in which costs of future supply chain activities or savings related to avoidance of future supply chain activities are reflected in an offer price.

21. (Original) A method selling articles of manufacture according to claim 20, wherein said electronic communication system allows simultaneous and mass presentation of said plurality of articles of manufacture.

22. (Original) A method of selling articles of manufacture according to claim 20, wherein said electronic communication system comprises at least one of:

- (1) a local area network;
- (2) a wide area network;
- (3) a cable system;
- (4) an internet communication system; and
- (5) a hybrid television and internet communication system.

23. (Original) A method of selling articles of manufacture according to claim 20, wherein said electronic communication system comprises an Internet site which may be accessed through the Internet.

24. (previously presented) A method of selling articles of manufacture according to claim 20, wherein said electronic communication system is available to potential purchasers that are pre-qualified by said trusted intermediary entity as being financially responsible to fulfill a commitment to purchase said articles of manufacture.

25. (Original) A method of selling articles of manufacturer according to claim 20 wherein said potential purchasers comprise resellers of said articles of manufacture which purchase large quantities of said articles of manufacture for resale.

26. (Original) A method of selling articles of manufacture according to claim 20 wherein said potential purchasers comprise individual consumers of said articles of manufacture which purchase small quantities of said articles of manufacture for personal use.

27. (Original) A method of selling articles of manufacture according to claim 20 wherein said potential purchasers comprise a mixture of:

(1) resellers of said articles of manufacture which purchase large quantities of said articles of manufacture for resale; and

(2) individual consumers of said articles of manufacture which purchase small quantities of said articles of manufacture for personal use.

28. (Original) A method of selling articles of manufacture according to claim 20, wherein said electronic communication system is utilized by said trusted intermediary entity to identify said plurality of article of manufacture by providing at least a product specification, quantities available, and a projected delivery date.

29. (previously presented) A method of selling articles of manufacture according to claim 20, wherein said pricing milestones include certain natural milestones in each of (a) said manufacturing stage and (b) said distribution stage, including at least a plurality of pricing milestones selected from the following list of pricing milestones:

- (1) a design stage for an article of manufacture;
- (2) a pre-production stage for an article of manufacture;
- (3) a production stage for an article of manufacture;
- (4) a packaging stage for an article of manufacture;
- (5) a packing-for-shipment stage for an article of manufacture;
- (6) a shipping stage for an article of manufacture;
- (7) a warehousing stage for an article of manufacture; and
- (8) an in-stock stage for an article of manufacture.

30. (Original) A method of selling articles of manufacture, according to claim 20, wherein said articles of manufacture comprise at least one of:

- (1) a durable article;
- (2) a non-perishable article;
- (3) a processed, perishable article;
- (4) a processed commodity.

31. (Original) A method of selling articles of manufacture, according to claim 20, wherein said articles of manufacture are manufactured at production sites which are located remotely from said plurality of potential purchasers which are located at a plurality of consumption locations.

32. (Original) A method of selling articles of manufacture, according to claim 20, wherein said step of determining a separate price comprises:

(f) determining a separate price for each of said plurality of pricing milestones to establish a series of increasing, discrete prices for said selected ones of said plurality of articles of manufacture, with each discrete price taking into account a general increase in said commercial risk as said pricing milestones are experienced, wherein said series of increasing, discrete prices provide a corresponding incrementally decreasing discount in price to encourage and reward early commercial commitments.

33. (Cancelled)

34. (currently amended) A method of selling articles of manufacture, according to claim 20 4, wherein said electronic communications system utilizes a marketing interface to identify said plurality of articles of manufacture which comprises a plurality of cascading user interfaces,

wherein said marketing interface includes an affinity reward system for soliciting, receiving and rewarding input from said plurality of potential purchasers concerning proposed articles of manufacture, and for aggregating said input.

35. (currently amended) A method of selling articles of manufacture, according to claim 20 4, wherein said electronic communications system utilizes a marketing interface to identify said plurality of articles of manufacture which comprises a plurality of cascading user interfaces,

wherein said marketing interface includes a demand research model which solicits, receives, and aggregates interest from said plurality of potential purchasers in proposed articles of manufacture.

36. (Original) A method of selling articles of manufacture, according to claim 35, wherein said aggregated input from said plurality of potential purchasers is utilized in making make/don't make decisions for said proposed articles of manufacture.

37. (Original) A method of selling articles of manufacture, according to claim 35, wherein said aggregated input from said potential purchasers is provided to potential manufacturers in order to assist them in making make/don't make decisions for said proposed articles of manufacture.

38. (Original) A method of selling articles of manufacture, according to claim 35, wherein said aggregated input from said plurality of potential purchasers is provided to potential manufacturers in-part in return for a production guarantee from potential manufacturers.

39. (previously presented) A method of selling articles of manufacture, comprising:

(a) providing a trusted intermediary entity;

(b) providing an virtual exchange which allows for a relatively direct, aggregated, and moderated series of commercial interactions between a plurality of manufacturers of articles of manufacture and a plurality of potential purchasers of said articles of manufacture, which is under control of said trusted intermediary entity;

(c) providing at least one data processing system which is under the control of said trusted intermediary entity and which includes an electronic communication system which is utilized to enable said virtual exchange and which is available to said plurality of manufacturers of said plurality of articles of manufacture for offering for sale through said virtual exchange said plurality of articles of manufacture and to a plurality of potential purchasers of said plurality of articles of manufacture;

(d) utilizing said trusted intermediary entity to qualify said plurality of potential purchasers for participation in commercial transactions utilizing said electronic communication system;

(e) utilizing said trusted intermediary entity to obtain production guarantees from said plurality of manufacturers of said plurality of articles of manufacture, in the form of a conditional offer each of which is binding upon said plurality of manufacturers if an aggregate minimum number of orders is obtained in a predetermined amount of time;

(f) utilizing said electronic communication system of said virtual exchange to identify a plurality of articles of manufacture which are available for purchase by said plurality of potential purchasers through said virtual exchange;

(g) for selected ones of said plurality of articles of manufacture which are available for purchase, identifying pricing milestone in each of (1) a manufacturing phase and (2) a distribution phase, which correspond generally to an increase in commercial risk;

(h) determining a separate price for each of said plurality of pricing milestones to establish a range of changing prices for said selected ones of said plurality of articles of manufacture, taking into account a change in said commercial risk experienced by said plurality of manufacturers of said selected ones of said plurality of articles of manufacture as said pricing milestones are experienced, and providing a changing price to said plurality of potential purchasers to encourage and reward early commercial commitments and to reduce commercial risk to said plurality of manufacturers;

(i) utilizing said electronic communication system of said virtual exchange to offer said selected ones of said plurality of articles of manufacture for sale to said plurality of potential purchasers at each of said plurality of pricing milestones with said separate price;

(j) utilizing said electronic communication system of said virtual exchange to separately communicate with particular ones of said plurality of potential purchasers and to aggregate commercial commitments from said particular ones of said plurality of potential purchasers for each of said pricing milestones in order to meet said aggregate minimum number of orders for said selected ones of said plurality of articles of manufacture; and

(k) wherein each pricing milestone corresponds to a period of availability in which costs of future supply chain activities or savings related to avoidance of future supply chain activities are reflected in an offer price.



40. (Original) A method selling articles of manufacture according to claim 39, wherein said electronic communication system allows simultaneous and mass presentation of said plurality of articles of manufacture.

41. (Original) A method of selling articles of manufacture according to claim 39, wherein said electronic communication system comprises at least one of:

- (1) a local area network;
- (2) a wide area network;
- (3) a cable system;
- (4) an internet communication system; and
- (5) a hybrid television and internet communication system.

42. (Original) A method of selling articles of manufacture according to claim 39, wherein said electronic communication system comprises an internet site which may be accessed through the Internet.

43. (Original) A method of selling articles of manufacture according to claim 39, wherein said electronic communication system is available to potential purchasers that are pre-qualified as being financially responsible to the extent necessary to fulfill a commitment to purchase said articles of manufacture.

44. (Original) A method of selling articles of manufacturer according to claim 39 wherein said potential purchasers comprise resellers of said articles of manufacture which purchase large quantities of said articles of manufacture for resale.

45. (Original) A method of selling articles of manufacture according to claim 39 wherein said potential purchasers comprise individual consumers of said articles of manufacture which purchase small quantities of said articles of manufacture for personal use.

46. (Original) A method of selling articles of manufacture according to claim 39 wherein said potential purchasers comprise a mixture of:

(1) resellers of said articles of manufacture which purchase large quantities of said articles of manufacture for resale; and

(2) individual consumers of said articles of manufacture which purchase small quantities of said articles of manufacture for personal use.

47. (Original) A method of selling articles of manufacture according to claim 39, wherein said electronic communication system is utilized to identify said plurality of article of manufacture by providing at least a product specification, quantities available, and a projected delivery date.

48. (previously presented) A method of selling articles of manufacture according to claim 39, wherein said pricing milestones include certain natural milestones in each of (a) said manufacturing stage and (b) said distribution stage, including at least a plurality of pricing milestones selected from the following list of pricing milestones:

- (1) a design stage for an article of manufacture;
- (2) a pre-production stage for an article of manufacture;
- (3) a production stage for an article of manufacture;
- (4) a packaging stage for an article of manufacture;
- (5) a packing-for-shipment stage for an article of manufacture;
- (6) a shipping stage for an article of manufacture;
- (7) a warehousing stage for an article of manufacture; and
- (8) an in-stock stage for an article of manufacture.

49. (Original) A method of selling articles of manufacture, according to claim 39, wherein said articles of manufacture comprise at least one of:

- (1) a durable article;
- (2) a non-perishable article;
- (3) a processed, perishable article;
- (4) a processed commodity.

50. (Original) A method of selling articles of manufacture, according to claim 39, wherein said articles of manufacture are manufactured at production sites which are located remotely from said plurality of potential purchasers which are located at a plurality of consumption locations.

51. (Original) A method of selling articles of manufacture, according to claim 39, wherein said step of determining a separate price comprises:

(h) determining a separate price for each of said plurality of pricing milestones to establish a series of increasing, discrete prices for said selected ones of said plurality of articles of manufacture, with each discrete price taking into account a general increase in said commercial risk to said plurality of manufacturers of said selected ones of said plurality of articles of manufacture as said pricing milestones are experienced, wherein said series of increasing, discrete prices provide a corresponding incrementally decreasing discount in price to said plurality of potential purchasers to encourage and reward early commercial commitments.

52. (Canceled)

53. (currently amended) A method of selling articles of manufacture, according to claim 39 4, wherein said electronic communications system utilizes a marketing interface to identify said plurality of articles of manufacture which comprises a plurality of cascading user interfaces,

wherein said marketing interface includes an affinity reward system for soliciting, receiving and rewarding input from said plurality of potential purchasers concerning proposed articles of manufacture, and for aggregating said input.

54. (currently amended) A method of selling articles of manufacture, according to claim 39 1, wherein said electronic communications system utilizes a marketing interface to identify said plurality of articles of manufacture which comprises a plurality of cascading user interfaces,

wherein said marketing interface includes a demand research model which solicits, receives, and aggregates interest from said plurality of potential purchasers in proposed articles of manufacture.

55. (Original) A method of selling articles of manufacture, according to claim 54, wherein said aggregated input from said plurality of potential purchasers is utilized by said plurality of manufacturers in making make/don't make decisions for said proposed articles of manufacture.

56. (Original) A method of selling articles of manufacture, according to claim 54, wherein said aggregated input from said plurality of potential purchasers is provided to potential manufacturers in-part in return for a production guarantee from potential manufacturers.

Claims 57 - 196 Canceled